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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,937	04/14/2004	Sam Denovich	18150 (AT 20958-2136)	5283

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EXAMINER

GILMAN, ALEXANDER

ART UNIT PAPER NUMBER

2833

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/823,937

Applicant(s)

DENOVICH ET AL.

Examiner

Alexander D. Gilman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 14-19, 23 and 24 is/are allowed.
- 6) ☐ Claim(s) 1-4, 6-10, 13, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/09/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-4, 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker et al.

With regard to claims 1, , Barker et al (US 6,866,541) disclose a patch panel system, comprising:

a frame (500);

a patch panel (100) attachable to said frame, said patch panel including a first connectivity interface having (Fig. 2) multiple sections (110, 140, 110) joined to form an N-sided portion of a polygon where N is greater than two; and

connector ports (400) provided on at least two of said multiple sections of said first connectivity interface.

Barker et al do not disclose that the at least one of said front and back walls being generally arcuately shaped.

However, Applicants have presented no argument which convinces that the particular configuration of the front od back walls is significant or is anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for purpose of patch panel design. In re Dailey, 149 USPQ 47 (CCPA 1976). Moreover, Specification, section 25 teaches that "the geometry of the interior contour may resemble a circle, an oval, a triangle, an S-shape,

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a wave shape, a polygon (other than a square or rectangle, such as a pentagon, an octagon and the like) or any other non- square or non-rectangular shape.

With regard to claims 2, Barker et al disclose that said multiple sections of said first connectivity interface have planar front surfaces that are oriented at obtuse angles to one another

along a substantially arcuate path (formed by the edged surfaces of 110, 140, 110).

With regard to claims 3, Barker et al disclose that at least one of said connector ports (400) includes a rear face configured to be directly connected to a cable (540).

With regard to claim 4, Barker et al disclose that at least one of said connector ports (400) is configured to convey a single data stream associated with a single information source or destination.

With regard to claim 6, Barker et al disclose a multi-port connector (400) provided in a second connectivity interface, said multi-port connector conveying multiple independent data streams associated with multiple independent information sources or destinations.

With regard to claim 8 Barker et al disclose (Fig. 6) that said patch panel further includes a second connectivity interface, said first and second connectivity interfaces extending along generally concentric arcuate paths.

With regard to claim 9, Barker et al disclose (Fig. 3) that said patch panel includes a latch tab (130) thereon extending outward from said first connectivity interface, said latch tab being one of securely and hingeably (the live hinge formed at edge of 110 and 130) attached to said frame (510).

With regard to claim 10, Barker et al disclose (Fig. 4) that a plurality of said patch panels arranged adjacent one another in a stacked manner.

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Claim 1, 13, 21, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knickerbocker

With regard to claims 1, 13, Knickerbocker (US 4,150,867) discloses a patch panel system, comprising:

a frame (70,66,68);

a patch panel (74, 74, 74) attachable to said frame, said patch panel including a first connectivity

interface having (Fig. 7) multiple sections joined to form an N-sided portion of a polygon where N is greater than two; and

connector ports (100, 40) provided on at least two of said multiple sections of said first connectivity interface.

Knickerbocker do not disclose that the at least one of said front and back walls being generally arcuately shaped.

However, Applicants have presented no argument which convinces that the particular configuration of the front od back walls is significant or is anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for purpose of patch panel design. In re Dailey, 149 USPQ 47 (CCPA 1976). Moreover, Specification, section 25 teaches that "the geometry of the interior contour may resemble a circle, an oval, a triangle, an S-shape, a wave shape, a polygon (other than a square or rectangle, such as a pentagon, an octagon and the like) or any other non- square or non-rectangular shape.

With regard to claim 21, Knickerbocker discloses that said connector ports are provided on at least three of said multiple sections of said first connectivity interface.

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With regard to claim 22, Knickerbocker discloses that said connector ports are provided on immediately adjacent sections (Fig 8 , r.n. 122, 122) of said multiple sections of said first connectivity interface.

Allowable Subject Matter

Claims 12,14-19,23,24 are allowed

Claim 5 is objected .

No prior art has been found to anticipate or render obvious the presently claimed subject matter. Specifically, none of the prior art of record discloses the combination of the limitations presented including the patch panel having a second connectivity interface including at least one multi-port connector port communicatively interconnected with a plurality of said connector ports at said first connectivity interface (claim 5, 12, 16) .

Response to Arguments

Applicant's arguments with respect to claims 1, 13 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D. Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/21/2006



**ALEXANDER GILMAN
PRIMARY EXAMINER**